

# Indiana House of Representatives

## News and Information

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### **PELATH: IMPASSE FRUSTRATING, BUT SOME DELAYS ARE GOOD**

INDIANAPOLIS – State Rep. Scott Pelath (D-Michigan City), who was one of two Democrats to remain on the Indiana House floor for 15 hours during Tuesday's legislative impasse, today could recall few more frustrating days during his tenure as a lawmaker.

However, he was pleased that a few ideas -- such as funneling LaPorte County riverboat dollars over to the Indianapolis Colts or further separating Northwest Indiana time clocks from the rest of the state -- were delayed and possibly derailed altogether.

"When leaders want you to vote on 131 bills in one day and people start drawing lines in the sand over issues, it is regrettable but not surprising when tensions flair," said Pelath. "Historically, that is when the minority party, whether Democrat or Republican, decides to put on some brakes."

Pelath, who serves as the ranking Democrat on the House Rules Committee, said Article 4, Section 11 of the Indiana Constitution requires that two-thirds of House members, or a "quorum," must be present to conduct business. In a task envied by few, Pelath and Rep. Chet Dobis (D-Merrillville) remained in the floor for most of the 15-hour workday to ensure that House leaders complied with the constitution.

"You respectfully have to endure hours of mad speeches and even insults," said Pelath. "It's no fun."

Since the Indiana Constitution was adopted in 1851, minority parties have used this provision in attempts to win concessions on legislation or halt controversial bills from passing. Pelath noted that, when Republicans were in the minority in recent years, they sometimes made effective use of the tactic by caucusing for extended periods. In 1995, Democrats denied Republicans a quorum for a number of days because of legislative redistricting efforts.

"Both our federal and state systems of government are designed to ensure that stopping the majority's bad ideas is just as important as passing its good ones," said Pelath.

Among the bills Pelath was happy to see suffer a setback were:

- A bill to siphon riverboat tax increases into a new Marion County sports stadium;
- A time-clock measure that would perpetually keep Northwest Indiana an hour behind the rest of the state;
- Telecommunications legislation that would have allowed phone rate increases in our area;
- A measure to fund downstate charter schools while many LaPorte County schools face cuts; and
- An omnibus bill to allow the Governor to override the decisions of local, elected prosecutors.

As a leader on procedural legislative matters, Pelath noted House leaders have numerous ways to resurrect any topic they wish. They could change self-imposed bill deadlines, suspend House rules, or insert their ideas into bills coming from the Senate. Pelath fully expected many widely supported initiatives will remain alive and well during the session.

"The minority party has its rights, but a determined majority virtually always gets its way," said Pelath. "That's just how it ought to be."